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METROPOLITAN AND STATE POLICE

(REPORT OF COMMITTEE "I" OF THE INSTITUTE)

P. O. RAY, Chairman¹

Your Committee on Metropolitan and State Police begs to report as follows:

So far as your committee has been able to ascertain, Illinois is the only State in which the subject of creating a special State police force, or "State Constabulary," has been given serious legislative consideration within the past year. The two most populous States in the Union, New York and Pennsylvania, already having State police forces, it was quite in order that Illinois, as the third State in population, should be the next to take up the consideration of this important subject.

With the work of the Pennsylvania State Constabulary, created in 1905, and, to a less degree, with the work of the New York State Police, organized in 1917, the public has been made fairly familiar through the illuminating articles by Miss Katherine Mayo which have appeared in the past few years in the *Outlook* and the *Atlantic*, and especially through her interesting volume, *Justice to All* (1917), telling of the origin and work of the Pennsylvania state police force. It is more than probable that the widespread interest in the subject of a state police system which those articles and books have created explain in a very large measure why this subject happened to come up for consideration in Illinois at just this time.

In the House, Representative Howard P. Castle, and in the Senate, Senator Henry M. Dunlap introduced practically identical bills to establish a State force of mounted police as a means of furnishing more adequate safeguards for life and property, especially in rural communities which are now without proper police protection. These bills, modelled upon the Pennsylvania and New York laws, provided for a force of 330 men, divided into four troops, each to be composed of 65

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¹The personnel of this committee is as follows:

P. O. Ray, Professor of Political Science, Northwestern University, Chairman.
Frederic B. Crossley, Librarian of the Elbert H. Gary Law Library, Northwestern University.

August Vollmer, Chief of Police, Berkeley, Calif.

privates, one captain, one lieutenant, five sergeants and eight corporals. This force was to be under the Department of State Police, a new department created by the bill, at the head of which was to be a State Superintendent of Police, appointed by the governor for a term of four years, and drawing a salary of \$5,000.

Membership on the force was restricted to citizens of the United States between the ages of twenty-one and forty years, "able to ride, of sound constitution and good moral character," who had passed a physical and mental examination. It was made the duty of this State police force "to prevent and detect crimes and apprehend criminals." The force was to be subject to the call of the governor and was to be empowered "to co-operate with any other department of the State or with local authorities," and to arrest, without a warrant, any person committing or attempting to commit, within their presence or view, a breach of the peace or other violation of the law; to serve and execute warrants of arrest or search, issued by the proper authorities, and to exercise "all other powers of peace officers of the State of Illinois." It was expressly provided, however, that the State Police should not exercise their power within the limits of any city or village "to suppress rioting or disorder, except by the direction of the governor, or upon the request of the mayor of the city or president of the village, with the approval of the governor."

The House bill never came up for final vote, and the main fight over the police bills occurred in the Senate over the Dunlap measure. The supporters of the bill advanced the following arguments:

(1) A great many bank robberies, accompanied by murders, have occurred in recent years in the outlying parts of Chicago and in the country districts adjacent to Chicago. "An efficient state police force, patrolling the country districts, with proper telephone connections between the several sub-stations, in many cases, could not only have apprehended the robber, but inspired a healthy dread on the part of those contemplating such crimes."

(2) A state police force, equipped with motor-cycles, would soon be able to stop the lawless and reckless driving of automobile speeders in the paved highways of the State and thus those highways would be made both safe and attractive for general use.

(3) A state police force is badly needed to afford proper protection to life and property in rural districts, and particularly to combat the growing activities of automobile bandits, whose activities will undoubtedly be greatly stimulated by the completion of the good roads

projects now under way. It was such considerations that impelled the board of directors of the Chicago Motor Club to adopt a resolution in April urging members of the legislature to vote for the state police bills.

(4) A state police force could be utilized to put out of business the many disreputable road-houses and blind pigs in the country districts over which the police of nearby cities and villages either have no jurisdiction or no effective control.

(5) A state police force would, in general, provide residents of country districts, who pay a large part of the state taxes, a degree of police protection comparable to that enjoyed by residents of cities and which is now almost completely lacking in the non-urban areas.

(6) Finally, the excellent work done by the State Constabulary in Pennsylvania and by the State Troopers in New York, was cited in favor of the creation of a similar force in Illinois.

Some opponents of the police bills denounced the system of state police as militaristic and as imposing a considerable financial burden on the State at an inopportune time. Others thought that they perceived the possibility of perverting the state police into a political weapon. The chief opposition, however, came, as in Pennsylvania and New York, from the leaders of organized labor, who made violent attacks upon the measure. It was even reported that the President of the State Federation of Labor threatened to call a general strike throughout the State in case such a bill should be passed. Such intemperate attacks, however, seem to have made little impression upon the supporters of the measure. Senator Dunlap declared that his bill was in no way aimed at labor, and that so long as a citizen is law-abiding no possible harm could come to him from such a law. Undoubtedly the opposition of organized labor had much to do with the ultimate defeat of the Dunlap bill by a vote of 31 to 16. The Democratic senators voted solidly against the measure.

In view of the fact that this was the first time that the subject of a state police system has come up for serious legislative consideration in Illinois and that the appearance of these bills in the legislature had not been preceded by any organized campaign of education concerning the value and practical workings of a state police force, the friends of such legislation have every reason to feel encouraged by the degree of interest which the Dunlap and Castle bills awakened, the newspaper support which they evoked and the creditable showing made in the final Senate vote in the face of the bitter labor opposition. The bills came a little ahead of Illinois public sentiment apparently, and

two years hence they will stand a much better chance of enactment after the public has been enlightened as to the possibilities for good bound up in a properly organized and administered State constabulary. In the meantime the chief obstacle to be overcome and opposition to be appeased is the understandable, but on the whole, indefensible, opposition of labor leaders to the use of the state police in preserving order and protecting life and property in connection with strikes and lockouts.

Perhaps, in concluding this report, mention should be made of the possibility of opposition arising from another and slightly suspected source. It appears that early in 1918 or late in 1917, the constables of Illinois towns and villages organized themselves into an association for mutual comfort and support. The discussion of the subject of a state police inevitably brings out the fact of the weakness and inefficiency of the rural constable as an agent for the prevention of crime and the apprehending of criminals; wherefore the approaching Illinois Constitutional Convention might feel warranted in abolishing outright the office of constable. Ergo, the association of constables comes forward with the following constructive suggestion which, although smile-provoking, may nevertheless attract considerable political support of the baser sort in its favor, and against the enactment of a state police system such as exists in Pennsylvania and New York:

"To create a state police force that will allow localities to have large powers over their selection and retention—without impairing their efficiency, can be done by using the country constable *elected in townships* and whose police power has been confirmed in numerous judicial decisions.

"Place all the constables under state supervision, provide a way for their removal for cause, have the state employ three hundred as a state police, and as many more as they can use in other capacities, provide a State uniform to be used by all constables doing police work. The village would soon see the advantage of using constables as marshals, and it would be but a short time until Illinois had a trained police force of nearly five thousand men at a small expense to the State. Add a bureau of criminal investigation to do detective work, and Illinois will lead the world in freedom from lawlessness and crime."

Upon this novel proposal, the editor of the *Short Ballot Bulletin* makes the ironical comment: "Truly a state police force elected by township constituencies would be a new thing under the sun. Perhaps this is an attempt to find some reason why constables should be elected at all."

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